

RD

Notice of Allowability

Application No.

10/705,821

Examiner

Hoa Q. Pham

Applicant(s)

ACKLEY ET AL.

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 3/29/06.
2. ☒ The allowed claim(s) is/are 1-13, 15-17, 20-23, 25, 27-37, 39-42, 44, 45, 48, 51, 53, 57-59, 62, 63, 97-103, 105-110, 112-116, 118, 119 and 121.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
 Paper No./Mail Date 3/29/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
 Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

There was no prior art found by the examiner that suggested modification or combination with the cited art so as to satisfy the combination of all the limitations in claims 1, 17, 32, 48, 62, 97, 103, 109.

As to claim 1, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"a removal mechanism, downstream from the first camera unit, structured to individually remove each of the plurality of pellet-shaped articles from at least a selected one of said rows of the conveyer mechanism depending on whether the printing indicia on each article is sensed by the first camera unit"**, in combination with the rest of the limitations of claim 1.

As to claim 17, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"the conveyer mechanism includes a plurality of carrier bars each having a plurality of pockets for receiving a plurality of pellet-shaped articles each pocket having one said throughhole configured to allow the first camera unit to sense the first side of the pellet-shaped article that is visible through the throughhole the apparatus further comprises a removal mechanisms downstream from the first camera unit, structured to individually remove at least a selected one of the plurality of pellet-shaped articles from at least a selected one of the plurality of carrier bars depending on whether the first predetermined characteristic is sensed by the first camera unit- and the throughhole is configured to allow the removal mechanism to pass there through to thereby**

remove the selected pellet-shaped article from that pocket in the carrier bar", in combination with the rest of the limitations of claim 17.

As to claims 32 and 48, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"the removal mechanism includes a blower having a plurality of blower nozzles that is equal to a number of pockets in each carrier bar, each said blower nozzle being in communication with a respective one of said throughholes"**, in combination with the rest of the limitations of claim 32.

As to claim 62, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"the method includes laser drilling each of the pellet-shaped articles, and the predetermined characteristic relates to said drilling"**, in combination with the rest of the limitations of claim 62.

As to claim 97, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"wherein the throughhole is configured to guide a burst of pressurized air to forcibly eject the pellet-shaped article from the pocket"**, in combination with the rest of the limitations of claim 97.

As to claims 103 and 109, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"wherein the throughhole is configured to allow a removal mechanism to remove the pellet-shaped article from the pocket in the carrier bar"**, in combination with the rest of the limitations of claims 103 and 109.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

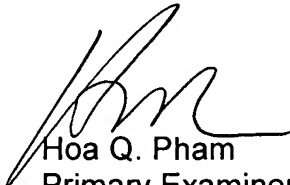
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoa Q. Pham whose telephone number is (571) 272-2426. The examiner can normally be reached on 7:30AM to 6 PM, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hoa Q. Pham
Primary Examiner
Art Unit 2877

HP
April 15, 2006